

**911 KAR 2:160. Kentucky Early Intervention Program covered services.**

RELATES TO: 20 USC 1471-1485

STATUTORY AUTHORITY: KRS 194A.030, 194A.050, 200.650-676

NECESSITY, FUNCTION, AND CONFORMITY: The Cabinet for Health Services is directed by KRS 200.650 to 200.676 to administer all funds appropriated to implement provisions, to enter into contracts with service providers, and to promulgate administrative regulations. This administrative regulation sets forth the provisions of covered services under First Steps, Kentucky's Early Intervention Program.

**Section 1. Covered Services.**

(1) Services shall be covered when included and authorized through signature or verified approval on the individual's IFSP developed by an IFSP team which shall include, at least, the family and two (2) professionals as identified in 911 KAR 2:150, Section 1(1)(a)-(p), paraprofessionals as identified in 911 KAR 2:150, Section 1(2)(a)-(f) or service positions as identified in 911 KAR 2:160, Section 1(3)(a)-(d):

(a) At least two (2) professionals, paraprofessionals, or service positions shall be from separate agencies or represent different approved providers; and

(b) One (1) discipline shall be a licensed medical professional as identified in 911 KAR 2:200, Section 3(2)(e), with the exception of Section 3(2)(e)13 and 14 of 911 KAR 2:200.

(2) Services covered shall be:

(a) Service coordination as provided in accordance with 911 KAR 2:110 and 911 KAR 2:140:

1. A child shall have only one (1) designated service coordinator at a given time;

2. Service coordination shall be provided by those identified in 911 KAR 2:150; and

3. Service coordination shall be provided under the limitations of 911 KAR 2:200, Section 4.

(b) Primary evaluation as provided in accordance with 911 KAR 2:120:

1. Primary evaluation shall be considered the first level of a two (2) tier system of evaluation; and

2. Primary evaluation shall be provided by those identified in 911 KAR 2:120 and 911 KAR 2:150;

(c) Intensive team evaluation as provided in accordance with 911 KAR 2:120:

1. Intensive team evaluation shall be considered the second level of a two (2) tier system of evaluation;

2. Intensive team evaluation shall be provided by those identified in 911 KAR 2:120 and 911 KAR 2:150;

(d) Service assessment as provided in accordance with 911 KAR 2:130;

(e) Therapeutic intervention.

1. Therapeutic intervention, defined as face-to-face intervention with the child and caregivers within the context of the environment, includes three (3) types of service:

- a. Individual home or community services which includes intervention provided to the child by a First Steps qualified professional to an eligible child at the child's home or other natural setting in which children under three (3) years of age are typically found (including non-First Steps provider day care centers and family day care homes) under the limitations of 911 KAR 2:200, Section 4; or
- b. Individual office or center-based service which includes intervention provided by First Steps qualified professionals to an eligible child at the professionals office or center site under the limitations of 911 KAR 2:200, Section 4; or
- c. Group intervention which includes the provision of early intervention services by First Steps qualified personnel in a group, defined as the presence of two (2) or more eligible children, at an early intervention professional's site, office, center, home or other community-based setting where children under three (3) years of age are typically found. The group may also include children without disabilities as long as a three (3) to one (1) ratio of children to staff is maintained. Group intervention shall be provided under the limitations of 911 KAR 2:200, Section 4.

2. Disciplines providing therapeutic intervention shall be qualified in accordance with 911 KAR 2:150, and shall include the following:

- a. An audiologist; or
- b. A family therapist; or
- c. A developmental interventionist; or
- d. A developmental associate; or
- e. A developmental assistant; or
- f. A nurse; or
- g. A LPN; or
- h. A health aide; or
- i. A nutritionist; or
- j. A dietitian; or
- k. An occupational therapist; or
- l. An occupational therapy assistant; or
- m. An orientation and mobility specialist; or
- n. A physical therapist; or
- o. A physical therapist assistant; or
- p. A psychologist; or
- q. A speech language pathologist; or
- r. A speech language pathologist assistant; or
- s. A licensed social worker; or
- t. A teacher of the visually impaired; or
- u. A teacher of the deaf and hard of hearing;

(f) Integrated disciplines center-based service shall be an intervention provided by an agency that is approved by the Commission for Children with Special Health Care Needs to be qualified to offer services:

1. By at least three (3) of the following disciplines working together in a group setting who qualify in accordance with 911 KAR 2:150:

- a. Developmental interventionist or developmental interventionist associate; or
- b. Occupational therapist; or
- c. Physical therapist; or
- d. Speech therapist;

2. Where all three (3) disciplines shall be scheduled and present, except in routine absences due to sickness or other conflicts;

3. The disciplines shall give evidence of transdisciplinary planning and practice;

4. Where children have identified in the IFSP multiple disciplines, with the majority of the group make-up being children who need three (3) or more disciplines, except when approved by the Commission for Children with Special Health Care Needs;

5. Where each child's record shall have a staff note from each discipline, except a staff note shall not be required from a discipline for those children where the discipline is not identified in the IFSP as needed;

(g) Collateral service shall be the provision of consultation and planning directed toward the needs of the child with professionals while attending the IFSP meeting, and consultation by and with the child's physician;

(h) Assistive technology in accordance with 911 KAR 2:100 and 911 KAR 2:140;

(i) Respite shall be a service provided to the family of an eligible child for the purpose of providing relief from the care of the child in order to strengthen the family's ability to attend to the child's developmental needs under the limitations of 911 KAR 2:200, Section 4;

(j) Transportation and related cost shall be the costs of travel that are necessary to enable an eligible child to receive early intervention services;

(k) Interpreters shall be used when necessary to assist the family in understanding the services and procedures and shall be reimbursed when:

1. The service is identified on the IFSP;
2. The PSC has identified the vendor and established a link with the billing agent;
3. The vendor meets the qualifications generally accepted for that role in the community and meets all requirements of the agency who hires the interpreter for that role if an agency is involved.

(3) Rates for covered services shall be negotiated rates based on reasonable and customary rates for same services or comparable services provided in the community.

Effective 1-19-99